

NOTIFICATION.

941

No. L. S. 2284—L.W. 79-52-4, dated 8th August 1952.

Whereas His Highness the Maharaja of Mysore is of opinion that an Industrial dispute exists between the Management of the several Hotels and Restaurants in Mysore City, Specified in Schedule I below and the workmen employed by them, in respect of the points of dispute specified in Schedule II below;

And whereas His Highness the Maharaja of Mysore considers it desirable to refer the dispute for adjudication;

Now therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, (Central Act No. XIV of 1947); His Highness the Maharaja of Mysore is hereby pleased to refer the said dispute for adjudication to the Industrial Tribunal constituted in Notification No. L. S. 1515—L.W. 131-52-1, dated the 28th June 1952.

SCHEDULE I.

- 1 Sri Krishna Bhavan, Market Square, Mysore.
- 2 Bombay Indra Bhavan, Sayaji Rao Road, Mysore.
- 3 Chamundeswari Bhavan, Sivarampet, Mysore.
- 4 Modern Cafe, "Dasaprakash", Gandhi Square, Mysore.
- 5 Bombay Ananda Bhavan, Sivarampet, Mysore.
- 6 Ramakrishna Bhavan, Asoka Road, Mysore.
- 7 Ramachandra Bhavan, Jagan Mohan Palace Road, Mysore.
- 8 Vidyarthi Bhavan, Jagan Mohan Road, Palace Mysore.
- 9 Udupi Ananda Bhavan, Asoka Road, Mysore.
- 10 Nehru Lunch Home, Market Square, Agrahar, Mysore.
- 11 Prakash Bhavan, Near Prabhudeva Talkies, Mysore.
- 12 Bus Terminus Restaurant, Bus Stand, Mysore.
- 13 Cosmopolitan Club, Jubilee Road, Mysore.
- 14 Welcome Hotel, Gandhi Square, Mysore.
- 15 Garden Hotel, Old Post Office Road, Mysore.
- 16 Ramachandra Vilas, 100 Feet Road, Mysore.
- 17 Mani's Cafe, Prabhudeva Talkies, Mysore.
- 18 University Restaurant, College Compound, Mysore.
- 19 Satayanarayana Prasanna Coffee Club, Deevatige Beedi, Mysore.
- 20 Shankar Lunch Home, Asoka Road, Mysore.
- 21 New Venkatesh Bhavan, Sayyaji Rao Road, Mysore.
- 22 Venkatesh Bhavan, Kabir Road, Mysore.
- 23 Mysore Ananda Bhavan, 100 Feet Road, Mysore.
- 24 Jayalakshmi Bhavan, Sivarampet, Mysore.
- 25 Madhava Mandir, Kamma Gudi Street, Mysore.
- 26 Prasad Lunch Home, Thyagaraja Cross Road, Agrahar, Mysore.
- 27 Vidyarthi Nilayam, Jagan Mohan Palace Road, Mysore.
- 28 Raju's Hotel, Agrahar, Mysore.
- 29 Victory Cafe, 100 Feet Road, Mysore.

- 30 New Bharat Cafe, 100 Feet Road, Mysore.
- 31 Sundar Bhavan, 100 Feet Road, Mysore.
- 32 Majestic Hotel, 100 Feet Road, Mysore.
- 33 Kaylas Ananda Bhavan, Sivarampet, Mysore.
- 34 New Mysore Ananda Bhavan, Sivarampet, Mysore.
- 35 Sri Amba Bhavan, Sivarampet, Mysore.
- 36 Amba Bhavan, Sivarampet, Mysore.
- 37 Bharat Restaurant, Gandhi Square, Mysore.
- 38 Satyanarayana Brahmin's Coffee Club, Madhavachar Road, Mysore.
- 39 Hindu Modern Cafe, Sayaji Rao Road, Mysore.
- 40 New Padmalaya Restaurant, Kallamma Gudi Street, Mysore.
- 41 New Krishna Bhavan, 100 Feet Road, Mysore.
- 42 Sadananda Bhavan, Halladakere, Mysore.
- 43 Chandra Bhavan, Kallamma Gudi Beedi, Mysore.
- 44 Durga Bhavan, Kallamma Gudi Beedi, Mysore.
- 45 Lakshmi Bhavan, Mandi Mohalla, Mysore.
- 46 Gajanana Bhavan, Marwari Road, Chamundi Extension, Mysore.
- 47 Sree Satyanarayana Coffee Club, Narayana Sastry Road, Mysore.
- 48 Central Cafe, Asoka Road, Mysore.
- 49 Central Lunch Home, Asoka Road, Mysore.
- 50 Bomay Lunch Home, Mandi Mohalli, Mysore.
- 51 Iyer's Welcome Coffee Club, Market Square, Agrahar, Mysore.
- 52 Shanmugananda Bhavan, Nazarabad, Mysore.
- 53 Gopal Bhavan, Nazarabad, Mysore.
- 54 Ambik Bhavan, Nazarabad, Mysore.
- 55 Sri Krishna Prasanna Coffee Club, Thyagaraja Road, Agrahar, Mysore.
- 56 Dhanalakshmi Bhavan, Coffee Club, Thyagaraja Road, Agrahar, Mysore.
- 57 Sri Vishnu Prasanna Brahmins' Coffee Club, Market Square, Agrahar, Mysore.
- 58 Gayatri Bhavan, Bidar Krishnappa Beedi, Mysore.
- 59 Sita Lakshmi Bhavan, Asoka West Cross, No. 5, Mysore.
- 60 Court Hotel, Court Road, Mysore.
- 61 Lakshmi Prasad Lodge, Opposite Olympia Talkies, Mysore.
- 62 Modern Hindu Hotel, Viceroy Road, Mysore.
- 63 Railway Station Hotel, Mysore Indian Refreshment Room (Vegetarian), Mysore.
- 64 Market Cafe, Devaraj Market, Mysore.

SCHEDULE II—POINTS OF DISPUTE.

(1) Payment of minimum wages and increments to Hotel Workers as noted below :—

	Rs.
(a) Head Cook for Sweets	125-5-150
(b) Head Cook for Savouries	80-4-120
(c) Assistant Cooks	60-3-90
(d) Servers	40-2-50
(e) Cleaners	30-2-50
(f) Grinders	40-2-50
(g) Stores, etc.	50-2-60

(2) Payment of Dearness Allowance to workers at 25 per cent of the wages paid to each worker, the minimum Dearness allowance in any case being not less than Rs. 10 per mensem.

(3) Grant of the following festival holidays in addition to the holidays which the workers are entitled to under the Factories Act and the Shops and Establishments Act :

(a) Deepavali ; (b) Pongal ; (c) Avani Avittam ; (d) Onam ; (e) Ramjan ; (f) Sivarathri ; (g) Ayudapuja ; (h) Tamal New Year's Day ; (i) Ugadi ; (j) May Day ; (k) Independence Day ; and (l) Republic Day.

(4) Grant of a sick leave of 15 days with full pay and a further fifteen days sick leave on half pay to each worker.

(5) Payment of gratuity calculated at one month's salary for every year of service put in by the worker.

(6) Payment of compensation to workers in respect of injuries sustained in the course of employment and treating the period under medical treatment as service.

(7) Guarantee of service.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
*Secretary to Government,
Law Department.*

944

LABOUR DEPARTMENT.

Labour Disputes—Dispute between Workers and Management of Bangalore Hotels—Award of the Industrial Tribunal, Bangalore—published.

Read the following papers:—

Letter dated 26th July 1952, from Sri A. R. Nageswara Iyer B.A., B.L., Chairman, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL, BANGALORE.

Dated the 14th day of July 1952.

I. C. 6 of 1952-53.

Present :

Sri A. R. Nageswara Iyer, B.A., B.L.

... *Chairman.*

Sri V. Kandaswami Pillai, B.A., B.L.

... *Member.*

Complaint No. 1 of 1952-53.

Bangalore Hotel Workers' Association
(By Sri A. Nagesha Rao, Advocate).

... *Complainant.*

Versus.

Bangalore Hotel Owners' Association, representing the ... *Respondent.*
Proprietor of the Lakshmi Vilas Restaurant, Civil Station,
Bangalore (By Sri B. Shankara Rao, Advocate).

AWARD.

This is a complaint under Section 33 (A) of the Industrial Disputes Act filed by workman Krishnan Nair, a member of the Bangalore Hotel Workers' Association. It is alleged that he was working as an employee (Sweet Assistant) in Lakshmi Vilas Restaurant, No. 126, Dharmaraja Koil Street, Bangalore 1, from 1st September 1947, that he was suddenly and wrongfully discharged from service on 28th May 1952, that is to say, after the Industrial disputes between the Hotel Owners' Association and their workmen was referred to this Tribunal for adjudication and that, as this was done without obtaining permission from the Tribunal as provided by Section 33 of the Act, the act of the employer was illegal. It was prayed that the termination of service of the workman may be declared illegal and that he may be ordered to be reinstated with back pay together with food allowance at Rs. 37-8-0 per mensem from the date of the discharge up to the date of reinstatement.

Notice of this application was given to the Respondent. Sri B. Shankara Rao for the Respondent took time for objections and after a few adjournments, while admitting that the discharge of the workman was effected after the reference of the Industrial Dispute to the Tribunal for adjudication, he submitted that that was

made in ignorance of the procedure laid down by the Act and that the respondent may be excused for the same. He further submitted, that though the respondent offered to take the workman back to service the latter was refusing to accept the offer, and that the employer was even now prepared to take him back paying him his back pay up to the date of reinstatement. On behalf of the workman the offer made by the employer was accepted and he agreed to get back to service.

It is undisputed that, though the services of the workman was terminated as alleged in the complaint, he is having his boarding and lodging in the Respondent's hotel all through. The workman undertook to rejoin duty from tomorrow. In the light of these facts our award is as follows:—

That the employer, i.e., the proprietor of the Lakshmi Vilas Restaurant do take back to service the workman Krishnan Nair from tomorrow, i.e., 15th of July 1952 and pay him his salary from the date of termination of his service until the 15th of July 1952. If the workman does not rejoin duty from tomorrow he will not be entitled to further salary or wages. That, as the workman was having his boarding and lodging in the hotel all along, he is not entitled to the food allowance claimed. In the circumstances, the parties will bear their own costs.

23.7.1952

A. R. NAGESWARA IYER,
Chairman.

V. KANDASWAMI PILLAI,
Member.

ORDER No. L.S. 2410—L.W. 172-52-2, DATED BANGALORE,
THE 11TH AUGUST 1952.

Whereas under Section 33 (a) of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), a complaint was made by workman Sri Krishnan Nair, an employee in Lakshmi Vilas Restaurant, Dharmaraja Koil Street, Bangalore, that the management of the said Lakshmi Vilas Restaurant, has, during the pendency of proceedings before the said Tribunal, contravened the provisions of Section 33 of the said Act;

And whereas the Award of the said Tribunal in respect of the said complaint has been received;

Now, therefore, in exercise of the powers conferred by Section 17 of the said Act, His Highness the Maharaja of Mysore hereby directs that the said Award, as above, be published in the *Mysore Gazette*.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
*Secretary to Government,
Law Department.*

LABOUR DEPARTMENT.

Labour Disputes—Dispute between Workers and Management of
Bangalore Hotels—Award of the Industrial Tribunal, Bangalore—
Published.

Read the following papers:—

Letter dated 26th July 1952, from Sri A. R. Nagesvara Iyer,
B.A., B.L., Chairman, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL, BANGALORE.

Dated the 14th day of July 1952.

I.C. 6 of 52-53.

Present.

Sri A. R. Nagesvara Iyer, B.A., B.L.,	... <i>Chairman</i>
Sri V. Kandaswami Pillai, B.A., B.L.,	... <i>Member.</i>

Complaint No. 2 of 52-53.

Bangalore Hotel Workers' Association (By Sri A. Nagesha Rao, Advocate.)	... <i>Complainant.</i>
--	-------------------------

Versus.

Bangalore Hotel Owners' Association, representing the Proprietor of the Lakshmi Vilas Restaurant, Civil Station, Bangalore (By Sri B. Shankara Rao, Advocate.)	<i>Respondent.</i>
---	--------------------

AWARD.

This is a complaint under Section 33 (A) of the Industrial Disputes Act filed by workman Subbiah, a member of the Bangalore Hotel Workers' Association. It is alleged that he was working as an employee (Sweet Assistant) in Lakshmi Vilas Restaurant, No. 126, Dharmaraja Koil Street, Bangalore 1, from 2nd February 1950, that he was suddenly and wrongfully discharged from service on 28th May 1952, that is to say, after the Industrial disputes between the Hotel Owners' Association and their workmen was referred to this Tribunal for adjudication and that, as this was done without obtaining permission from the Tribunal as provided by Section 33 of the Act, the act of the employer was illegal. It was prayed that the termination of service of the workman may be declared illegal and that he may be ordered to be reinstated with back pay together with food allowance at Rs. 37-8-0 per mensem from the date of discharge up to the date of reinstatement.

Notice of this application was given to the Respondent. Sri B. Shankara Rao for the respondent, took time for objections and after a few adjournments, while admitting that the discharge of the workman was effected after the reference of the

Industrial Dispute to the Tribunal for adjudication, he submitted that that was made in ignorance of the procedure laid down by the Act and that the respondent may be excused for the same. He further submitted that though the respondent offered to take the workman back to service, the latter refused to accept the offer, and that the employer was even now prepared to take him back paying him his back pay up to the date of reinstatement. On behalf of the workman the offer made by the employer was accepted before us and he agreed to get back to service.

It is undisputed that, though the services of the workman was terminated as alleged in the complaint, he is having his boarding and lodging in the respondent's Hotel all through. The workman undertook to rejoin duty from tomorrow. In the light of these facts our award is as follows:—

That the employer, i.e., the proprietor of the Lakshmivilas Restaurant do take back to service workman Subbiah from tomorrow, i.e., 15th of July 1952 and pay him his salary from the date of termination of his services until the 15th of July 1952. If the workman does not rejoin duty from tomorrow he will not be entitled to further salary or wages. That, as the workman was having his lodging and boarding in the hotel all along, he is not entitled to the food allowance claimed. In the circumstances, the parties will bear their own costs.

A. R. NAGESVARA IYER,

Chairman,

V. KANDASWAMI PILLAI,

Member.

ORDER No. L.S. 2415—L.W. 172-52-3, DATED BANGALORE,

11TH AUGUST 1952.

Whereas under section 33(a) of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), a complaint was made by workman—Sri Subbiah of Lakshmivilas Restaurant, Dharmaraja Koil Street, Bangalore, that the Management of the said Lakshmivilas Restaurant, has, during the pendency of proceedings before the said Tribunal, contravened the provisions of Section 33 of the said Act;

And whereas the Award of the said Tribunal in respect of the said complaint has been received;

Now, therefore, in exercise of the powers conferred by Section 17 of the said Act, His Highness the Maharaja of Mysore hereby directs that the said Award, as above, be published in the *Mysore Gazette*.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,

*Secretary to Government,
Law Department.*

LABOUR DEPARTMENT.

Labour Disputes—Dispute between Workers and Management of Bangalore Hotels—Award of the Industrial Tribunal—Bangalore—published.

Read the following papers :—

Letter dated 26th July 1952, from Sri A. R. Nageswara Iyer, B.A., B.L., Chairman, Industrial Tribunal, Bangalore.

BEFORE THE INDUSTRIAL TRIBUNAL, BANGALORE.

Dated the 14th day of July 1952.

I. C. 6 of 1952-53.

Present :

Sri A. R. Nageswara Iyer, B.A., B.L.	...	...	<i>Chairman.</i>
Sri V. Kandaswami Pillai, B.A., B.L.	...	..	<i>Member.</i>

Complaint No. 3 of 1952-53.

Bangalore Hotel Workers' Association (By Sri A. Nagesha Rao, Advocate),	...	...	<i>Complainant.</i>
--	-----	-----	---------------------

Versus.

Bangalore Hotel Owners' Association, representing the Proprietor of the Lakshmi Vilas Restaurant, Civil Station, Bangalore, represented by Sri B. Shankara Rao, Advocate.	<i>Respondent.</i>
---	--------------------

AWARD.

This is a complaint under Section 33 (A) of the Industrial Disputes Act filed by workman Velayudan, a member of the Bangalore Hotel Workers' Association. It is alleged that he was working as an employee (Sweet Assistant) in Lakshmi Vilas Restaurant, No. 126, Dharmaraja Koil Street, Bangalore 1, from 28th May 1950, that he was suddenly and wrongfully discharged from service on 29th May 1952, that is to say, after the Industrial disputes between the Hotel Owners' Association and their workmen was referred to this Tribunal for adjudication and that, as this was done without obtaining permission from the Tribunal as provided by Section 33 of the Act, the act of the employer was illegal. It was prayed that the termination of service of the workman may be declared illegal and that he may be ordered to be reinstated with back pay together with food allowance at Rs. 37-8-0 per mensem from the date of the discharge up to the date of reinstatement.

Notice of this application was given to the Respondent. Sri B. Shankara Rao for the respondent, took time for objections and after a few adjournments, while admitting that the discharge of the workman was effected after the reference of the Industrial dispute to the Tribunal for adjudication, he submitted that that was made

in ignorance of the procedure laid down by the Act and that the respondent may be excused for the same.

It was also submitted that the employer offered to take back to service workman Velayudan, that he accepted the offer and has rejoined duty and that the matter had been already settled between the parties. This was not controverted by Sri A. Nagesha Rao, counsel for the Hotel Workers' Association. In these circumstances, there is no necessity for deciding the question raised in the complaint-petition. The complaint is dismissed, parties bearing their own costs.

A. R. NAGESWARA IYER,
Chairman.

V. KANDASWAMI PILLAI,
Member.

ORDER No. L.S. 2420—L.W. 172-52-4, DATED BANGALORE,
11TH AUGUST 1952.

Whereas under Section 33 (A) of the Industrial Dispute Act, 1947 (Central Act XIV of 1947), a complaint was made by Workman—Sri Velayudan of Lakshmi Vilas Restaurant, Dharmaraja Koil Street, Bangalore, that the Management of the said Lakshmi Vilas Restaurant, has, during the pendency of proceedings before the said Tribunal, contravened the provisions of Section 33 of the said Act;

And whereas the award of the said Tribunal in respect of the said complaint has been received;

Now, therefore, in exercise of the powers conferred by Section 17 of the said Act, His Highness the Maharaja of Mysore hereby directs that the said Award, as above, be published in the *Mysore Gazette*.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
*Secretary to Government,
Law Department.*